

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM  
Section 3, Canjilon Creek

Subfile Nos. CHCJ-003-0049  
CHCJ-003-0061

**WITHDRAWAL OF MOTION FOR SUBSTITUTION OF PARTIES  
AND TO VACATE CONSENT ORDER**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and hereby withdraws the February 13, 2009 Motion for Substitution of Parties and to Vacate Consent Order (Doc. 9413). The Court informs counsel for the State that under the Administrative Order No. 92-88, filed May 4, 1992, attorneys may not file a single motion regarding two separate matters. The State will therefore file separate pleadings for the requests to substitute parties and to vacate the Consent Order in subfile CHCJ-003-0061.

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444 phone  
(505) 867-7444 facsimile

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 26th day of February 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Norman D. Vigil  
Rosalie E. Vigil  
7312 Calle Montana NE  
Albuquerque, NM 87113

/s/ Ed Newville  
EDWARD G. NEWVILLE